

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In Re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation

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Master File No. 1:00 – 1898  
MDL 1358 (SAS): M21-88

**This document refers to the following case:**

*City of New York, et al. v. Amerada Hess Corp., et al.*,  
Case No. 04-CIV-3417

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**DECLARATION OF JAMES A. PARDO IN SUPPORT OF DEFENDANT  
EXXON MOBIL CORPORATION'S MOTION FOR SUMMARY JUDGMENT OF  
PLAINTIFF CITY OF NEW YORK'S CLAIMS RELATED TO STATION 6  
BASED ON THE STATUTE OF LIMITATIONS**

JAMES A. PARDO, an attorney duly licensed to practice law in the State of New York and in the United States District Court for the Southern District of New York, hereby declares the following under penalties of perjury:

1. I am a member of the law firm McDermott Will & Emery LLP, counsel for defendant Exxon Mobil Corporation (hereinafter "ExxonMobil") in the above-captioned matter. I respectfully submit this Declaration in support of the *Motion for Summary Judgment of Plaintiff City of New York's Claims Related to Station 6 Based on the Statute of Limitations* (hereinafter "Motion") that is being filed herewith in the above-referenced case on behalf of ExxonMobil. This Declaration authenticates the exhibits attached hereto and referenced in Defendants' Memorandum of Law in Support of the Motion. In accordance with this Court's Individual Rules and Procedures, only the relevant parts of these exhibits are attached.

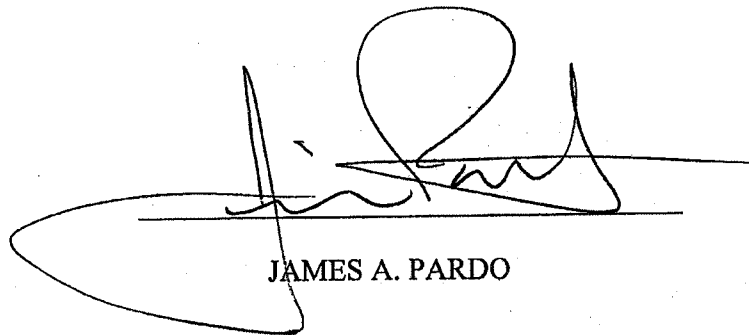
2. Attached at Exhibit 1 are true and correct copies of the relevant pages from the Expert Report of Donald K. Cohen, CPG and Marnie A. Bell, P.E. (Malcolm Pirnie, Inc.) that

Plaintiff served in this matter on February 10, 2009. The attached copies were made at the direction of the undersigned counsel on or around July 8, 2009.

3. Attached at Exhibit 2 are true and correct copies of the relevant pages from a document titled *Technical Memorandum: Brooklyn-Queens Aquifer Project – Station 6 Modifications* dated September 24, 1999 that was produced in discovery by Malcolm Pirnie, Inc. pursuant to a subpoena served in this matter. The document is bates labeled MP 00012081-MP 00012100. The attached copy was made at the direction of the undersigned counsel on or around July 8, 2009.

4. Attached at Exhibit 3 is a true and correct copy of a document titled *Brooklyn Queens Aquifer Study, Station 6 Restoration Project, Impact of Two Contamination Sites Issue Paper* dated May 2000 that was produced in discovery by Malcolm Pirnie, Inc. pursuant to a subpoena served in this matter. The document is bates labeled MP 00024828-MP 00024840. The attached copy was made at the direction of the undersigned counsel on or around July 8, 2009.

Dated: New York, New York  
July 8, 2009



JAMES A. PARDO